In the Claims:

    Please amend Claim 13 as follows:

    Please add new Claims 24-29 as follows:

A1

13.   (Amended) A rewriting system for rewriting data stored in a memory of a vehicle controller with new data, the system comprising:

    a rewriting device capable of communicating with the vehicle controller, the rewriting device configured to determine that communication between the rewriting device and the vehicle controller is offline if no response is received from the vehicle controller within a first determination time; and

    wherein, when deleting or writing operation on the memory is being performed, the determination of offline is prohibited until a second determination time elapses, the second determination time being greater than the first determination time.

A2

24.   (New) The rewriting device of claim 3, further configured to:

    calculate the deleting time prior to the deleting operation of the data; and

    set the calculated deleting time in the second determination time.

25.   (New) The rewriting device of claim 9, further configured to:

    calculate the writing time prior to the writing operation of the new data; and

    set the calculated writing time in the second determination time.

26.   (New) The rewriting system of claim 15, wherein the rewriting device is further configured to:

    calculate the deleting time and set the deleting time in the second determination time when the deleting operation is performed; and

    calculate the writing time and set the writing time in the second determination time when the writing operation is performed.

27.   (New) A rewriting device for rewriting data stored in a non-volatile memory of a vehicle controller;

the rewriting device capable of communicating with the vehicle controller and configured to determine that communication between the rewriting device and the vehicle controller is offline when no response to a request transmitted by the rewriting device is received from the vehicle controller within a first determination time from the transmission of the request; and

wherein, when a deleting operation of the data is being performed, the rewriting device is configured to prohibit the determination of offline until a second determination time elapses from the transmission of the request, the second determination time being greater than the first determination time.

28.   (New) A rewriting device for rewriting data stored in a non-volatile memory of a vehicle controller with new data;

the rewriting device comprising capable of communicating with the vehicle controller and configured to determine that communication between the rewriting device and the vehicle controller is offline when no response to a request transmitted by the rewriting device is received from the vehicle controller within a first determination time from the transmission of the request; and

wherein, when a writing operation of the new data is being performed, the rewriting device is configured to prohibit the determination of offline until a second determination time elapses from the transmission of the request, the second determination time being greater than the first determination time.

29.   (New) A rewriting device for rewriting data stored in a memory of a vehicle controller, the rewriting device comprising;

a means for communicating with the vehicle controller and configured to determine that communication between the rewriting device and the vehicle controller is offline when no response is received from the vehicle controller within a first determination time;

wherein, when a deleting operation of the data is being performed, the rewriting device is configured to prohibit the determination of offline until a second determination